



1600 Receipt  
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#11

PATENT  
Attorney Docket No. 463037-000219/A-68718-3/RFT/RMS/RMK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

DOUNG *et al.*

Serial No.: 09/904,175

Filed: July 11, 2001

For: *Devices and Methods for  
Biochip Multiplexing*

Group No. 1634

Examiner: Betty J. Forman

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

Date:

Signature

*December 11, 2002*

*Mary McFarland*

Mary McFarland

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, DC 20231

Sir:

Attached is a copy of the official Filing Receipt received from the PTO in the above-identified application, for which issuance of a corrected Filing Receipt is respectfully requested.

Please amend the Filing Receipt as follows:

In the "Applicant(s)" field,

Delete "Hau H. Doung, Los Angeles, CA;"

Delete "Gary Blackburn, Glendora, CA";

Delete "Gary T. Olsen, La Cresenta, CA";

Delete "Robert Pietri, Pasadena, CA";

Delete "Nathan Swami, South Pasadena, CA"; and

Delete "Robert H. Terbrueggen, Manhattan Beach, CA".

In the Domestic Priority data as claimed by applicant field, after "This Appln Claims Benefit of 60/175,539 01/11/2000", please delete And Claims Benefit of 60/145,840 07/27/1999" and insert -And Claims Benefit of 60/245,840 11/03/2000--.

Enclosed herein is a copy of the official Filing Receipt indicating the requested corrections marked in red. Applicants enclose a copy of an executed declaration submitted in compliance with 37 C.F.R. 1.63 with the amended priority claim described above.

The Commissioner is authorized to charge any additional fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 463037-219[A-68718-3/RFT/RMS/RMK]).

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: 12/11/02

By: 

Four Embarcadero Center  
Suite 3400  
San Francisco, California 94111-4187  
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Fax No. (415) 398-3249

Renee M. Kossak, Reg. No 47,717  
for Robin M. Silva, Reg. No. 38,304  
Filed under 37 C.F.R. § 1.34(a)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO.          | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|---------------------------|----------|------------|------------|
| 09/904,175         | 07/11/2001  | 1645         | 924           | A-68718-<br>3/RFT/RMS/RMK | 42       | 23         | 2          |

CONFIRMATION NO. 1169

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

## UPDATED FILING RECEIPT



\*OC00000008215591\*

Date Mailed: 05/31/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

~~Hau H. Doung, Los Angeles, CA;~~  
~~Gary Blackburn, Glendora, CA;~~  
Jon F. Kayyem, Pasadena, CA;  
Stephen D. O'Connor, Pasadena, CA;  
~~Gary T. Olsen, La Grange, CA;~~  
~~Robert Pietri, Pasadena, CA;~~  
~~Nathan Swami, South Pasadena, CA;~~  
~~Robert H. Terbrueggen, Manhattan Beach, CA;~~

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/175,539 01/11/2000  
AND CLAIMS BENEFIT OF 60/145,840 07/27/1999\* 60/245,840 11/03/2000  
AND IS A CON OF 09/760,384 01/11/2001  
AND IS A CON OF PCT/US01/01150 01/11/2001  
(\*Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted 08/28/2001

Projected Publication Date: 09/12/2002

Non-Publication Request: No

**Early Publication Request:** No

**Title**

Devices and methods for biochip multiplexing

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |  |                           |
|----------------------|--|---------------------------|
| First Named Inventor | : KAYYEM, <i>et al.</i>                        |                           |
| Appln. No.           | : 09/904,175                                   |                           |
| Filed                | : July 11, 2001                                | Group Art Unit: 1634      |
| Title                | : DEVICES AND METHODS FOR BIOCHIP MULTIPLEXING | Examiner: Betty J. Forman |

**DECLARATION FOR UTILITY PATENT APPLICATION**  
(37 C.F.R. § 1.63)

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**DEVICES AND METHODS FOR BIOCHIP MULTIPLEXING**

the specification of which:

☐ is attached hereto OR

☒ was filed on July 11, 2001 as United States Application Number 09/904,175 or PCT International Application Number and amended on October 16, 2002 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed                | Certified Copy Attached? |                                     |
|-------------------------------------|---------|----------------------------------|-------------------------------------|--------------------------|-------------------------------------|
|                                     |         |                                  |                                     | Yes                      | No                                  |
| PCT/US01/01150                      | PCT     | 01/11/2001                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |
|-----------------------|--------------------------|
| 60/175,539            | 01/11/2000               |
| 60/245,840            | 11/03/2000               |

I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

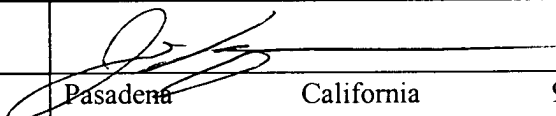
| Application Number | Date of Filing<br>(day, month, year) | Status - Patented,<br>Pending, Abandoned |
|--------------------|--------------------------------------|--|
| 09/760,384         | 01/11/2001                           | Pending                                  |

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with **Customer Number: 32940**, currently:

|           |   |
|-----------|---|
| Name      | Robin M. Silva  |
| Address   | DORSEY & WHITNEY LLP<br>Four Embarcadero Center<br>Suite 3400<br>San Francisco, California 94111-4187 |
| Telephone | (415) 781-1989  |
| Fax       | (415) 398-3249  |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|                                |   |                        |                |
|--------------------------------|---|------------------------|----------------|
| <b>Sole or First Inventor:</b> |   |                        |                |
| Given Name (First and middle)  |   | Family Name or Surname |                |
| Jon F.                         |   | KAYYEM                 |                |
| Inventor's Signature           |  |                        | Date: 11/18/02 |
| Residence                      | Pasadena California 91103   | Citizenship: USA       |                |
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| Post Office Address            | 1137 Parkview Avenue<br>Pasadena, California 91103                                  |                        |                |

|                               |                           |                        |       |
|-------------------------------|---------------------------|------------------------|-------|
| <b>Second Inventor:</b>       |                           |                        |       |
| Given Name (First and middle) |                           | Family Name or Surname |       |
| Steven D.                     |                           | O'CONNOR               |       |
| Inventor's Signature          |                           |                        | Date: |
| Residence                     | Pasadena California 91104 | Citizenship: USA       |       |
|                               | City State Zip            |                        |       |

I hereby claim priority under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Number | Date of Filing (day, month, year) | Status - Patented, Pending, Abandoned |
|--------------------|-----------------------------------|---------------------------------------|
| 09/760,384         | 01/11/2001                        | Pending                               |

PLEASE DIRECT ALL CORRESPONDENCE TO:

The address associated with **Customer Number: 32940**, currently:

|           |   |
|-----------|---|
| Name      | Robin M. Silva  |
| Address   | DORSEY & WHITNEY LLP<br>Four Embarcadero Center<br>Suite 3400<br>San Francisco, California 94111-4187 |
| Telephone | (415) 781-1989  |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|                                |  |                  |                        |
|--------------------------------|--|------------------|------------------------|
| <b>Sole or First Inventor:</b> |  |                  |                        |
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| <b>Second Inventor:</b>       |  |                  |                        |
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